

# MEMORANDUM

Substitute  
Agenda Item No. 11(A)(5)

---

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** October 18, 2016

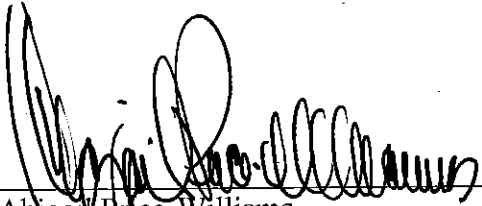
**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution urging President  
Barack Obama and the United  
States Department of Homeland  
Security not to resume the  
deportation of Haitians

---

**The substitute item differs from the original in that it references the United States Department of Homeland Security's October 12, 2016 announcement regarding temporary suspension of deportations after Hurricane Matthew.**

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jean Monestime and Co-Sponsors Commissioner Sally A. Heyman and Commissioner Dennis C. Moss.



Abigail Price-Williams  
County Attorney

APW/cp



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** October 18, 2016

**FROM:** Abigail Price-Williams  
County Attorney

Substitute  
**SUBJECT:** Agenda Item No.11(A)(5)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Substitute  
Agenda Item No. 11(A)(5)  
10-18-16

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING PRESIDENT BARACK OBAMA AND  
THE UNITED STATES DEPARTMENT OF HOMELAND  
SECURITY NOT TO RESUME THE DEPORTATION OF  
HAITIANS

**WHEREAS**, after the devastating 2010 earthquake that struck Haiti, the United States placed a moratorium on the deportation of Haitians, stating that sending Haitians back to their country at a time of instability would put their lives at great risk; and

**WHEREAS**, on September 22, 2016, however, Jeh Johnson, the Secretary of the United States Department of Homeland Security (DHS), announced that the federal government would resume deporting Haitian immigrants, citing “improved conditions in Haiti” since the earthquake and an increase in the number of Haitian nationals taking dangerous smuggling routes to apply for admission into the country; and

**WHEREAS**, although DHS states that conditions in Haiti have improved, Haiti has not recovered from the 2010 earthquake; the nation suffers from economic and political crisis, rampant Zika and Chikungunya cases, a steady rise in the number of cholera cases and deaths, and most recently, the devastating effects of Hurricane Matthew; and

**WHEREAS**, Haiti has suffered from a number of tropical storms and hurricanes throughout the years, but on October 4, 2016, Hurricane Matthew was the first Category 4 hurricane to hit Haiti in 50 years; and

**WHEREAS**, Hurricane Matthew left at least 1.4 million people in need of emergency aid, killed nearly 1,000 people, and has dramatically increased the number of cholera cases in Haiti; and

**WHEREAS**, Hurricane Matthew has also left entire towns completely destroyed and cut off from the outside world by flooding and damage; and

>>**WHEREAS**, although DHS announced that it would temporarily suspend the deportation policy in light of Hurricane Matthew, it has not released any noncriminal Haitian detainees and has not made clear whether the policy would resume without Haiti having fully recovered from the effects of Hurricane Matthew or any of the diseases and crises from which it was already suffering before the hurricane; and<<<sup>1</sup>

**WHEREAS**, DHS's decision to resume deportations could affect as many as 40,000 Haitians; and

**WHEREAS**, Haiti is unable to receive, feed, house, employ, or protect any new deportees from cholera or any of the other horrendous conditions from which it is suffering; and

**WHEREAS**, the deportation of Haitians to a Haiti unable to adequately receive them threatens to further destabilize the poorest country in the Western Hemisphere and one of the poorest in the world; and

**WHEREAS**, it is in the best interest of the United States, the State of Florida, and specifically South Florida to have stability and conditions conducive to recovery and hope in Haiti; and

**WHEREAS**, in line with this interest, DHS created the Haitian Family Reunification Program (HFRP) in March 2015, with the goal of saving lives and helping Haiti recover from the 2010 earthquake by allowing eligible United States citizens and lawful permanent residents to apply for the transfer of their family members from Haiti to the United States; and

---

<sup>1</sup> The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< are added.

**WHEREAS**, although HFRP should be expanded to increase the pool of eligible and successful applicants, its goal of keeping families together and the more general goal and interest of helping Haiti recover from devastation are the correct policies for our community and our nation; and

**WHEREAS**, policies such as HFRP are important to keep in place rather than pursuing a policy of deporting Haitians back to an unstable country; and

**WHEREAS**, considering the continued severe conditions in Haiti, this Board requests that the federal government not resume the deportation of Haitians,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board:

**Section 1.** Urges President Barack Obama and the United States Department of Homeland Security not to resume the deportation of Haitians.

**Section 2.** Directs the Clerk of the Board to transmit certified copies of this resolution to President Barack Obama, Secretary of Homeland Security Jeh Johnson, and the Chair and Members of the Miami-Dade Congressional Legislative Delegation.

**Section 3.** Directs the County's federal lobbyists to advocate for the legislation described in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2016 Federal Legislative Package to include this item and add this item to the 2017 Federal Legislative Package when it is presented to the Board.

The Prime Sponsor of the foregoing resolution is Chairman Jean Monestime and the Co-Sponsors are Commissioner Sally A. Heyman and Commissioner Dennis C. Moss. It was offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman	
Esteban L. Bovo, Jr., Vice Chairman	
Bruno A. Barreiro	Daniella Levine Cava
Jose "Pepe" Diaz	Audrey M. Edmonson
Sally A. Heyman	Barbara J. Jordan
Dennis C. Moss	Rebeca Sosa
Sen. Javier D. Souto	Xavier L. Suarez
Juan C. Zapata	

The Chairperson thereupon declared the resolution duly passed and adopted this 18<sup>th</sup> day of October, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

APP

Altanese Phenelus